

### **REMARKS**

The Office Action of July 22, 2004 and the cited art has been carefully considered. Claims 23-29 are pending. Claims 23-28 were rejected. Claim 25 is canceled. New Claims 30-42 have been added.

Claims 23-28 were rejected under section 103(a) over Gembala '971 in view of Kelley '482. The rejection is based primarily on Gembala's edge closure device. Applicant notes that Gembala does not show or use a rigid sheet extending upwardly from the roof deck. The "sheet of rigid material (fig. 2: elongated M shaped sheet on top of parapet)," as cited by the examiner runs across the top of the parapet wall, not vertically, as required by the claims. Additionally, the "connector portion overlaying and secured to the connecting surface (fig. 2:36) of the base component" as cited by the examiner is not shown as connected. Note that there does not appear to be any connector (screw or otherwise) connecting the cant panel 36 and the edge closure 10. This may be, as described below, the differing expansion ratios of the parapet wall and roof deck make connection of structural components between the two not preferred. Flashing and weather proofing components may be provided which connect to both the wall and roof deck (see Spec., p. 8, first para., for example). Further, there appears to be some confusion as to the term "parapet wall;" in Gembala a separate structure 60 from the roof deck, and in the application to refer to the vertical portion extending from the roof deck which is connected to the roof deck and is separate from (and preferably not attached directly to) the building wall. Applicant's invention does not turn over the top of the "parapet wall" as in Gembala. Applicant has changed the terms in its claims to make clear this distinction. As shown in Figure 4 of the application, for example, Applicant's vertical rigid sheet 31 (and sheets 35) is separate from the building wall (not shown). In fact, Applicant's invention is preferably not directly attached by a connector to the building wall at all. The building wall, whether a "parapet wall" (as fig. 2:60 in Gembala) or an interior wall, will have different expansion ratios than the roof deck. Consequently, connections between the building wall and the roof deck (whether a vertical or horizontal portion of the deck) are disfavored since those connections will tend to tear apart as the roof deck and wall expand and contract at different rates. Also note that Applicant's wall component 32 (so called because it runs vertically, like a typical wall), does not turn over the top of the "parapet wall

60" as shown in Gembala, but instead turns away from such a wall (parapet or other) and over the top of the rigid vertical sheet 31.

Attached, for reference, is a "Loadmaster Terminator" advertising sheet. See particularly the "Parapet Wall Detail" on the lower half. Note that the "Building Wall" (with added hand-written cross-hatching and descriptor) is separate from the vertical rigid board. In this drawing, the building wall continues above the parapet detail of the roof deck. (A building wall is not shown in Figure 4 of the application.) The Building Wall in this figure corresponds to the "parapet wall 60" in Gembala. As stated in the attached, "Wall terminations separate the wall from the roof deck thus eliminating stresses that cause roofing failures." The component turns away from the Building Wall and over the vertical board. This is as opposed to Gembala in which the components turn over the building wall and no separate vertical board is employed. Applicant has amended its claims to better point out and describe its invention.

The claims are distinguishable from Gembala, which does not show the invention as claimed, even assuming that Kelley shows a corrugated sheet. Consequently, all of the claims are allowable. Claim 29 was allowable if rewritten, but such action is not necessary since Claim 29 now depends from an allowable claim.

Applicant believes the Claims are now in condition for allowance and respectfully requests such action. If the examiner desires a telephone conference to speed prosecution of the application, please do not hesitate to call the undersigned at 214.220.0444.

The Commissioner for Patents is hereby authorized to charge any additional fees relating to this paper or credit any overpayment to Deposit Account No. 50-3037. A duplicate copy of this fee authorization sheet is enclosed.

Date: January 24, 2005

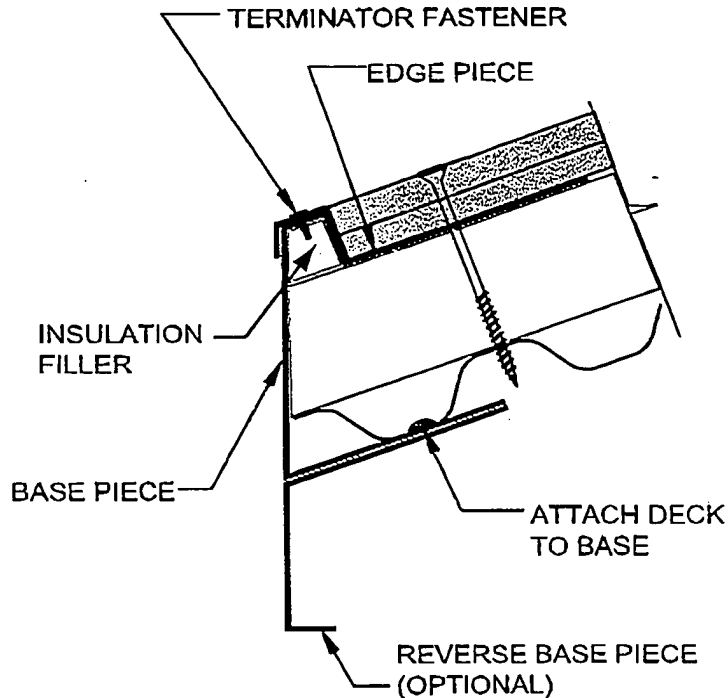


# Loadmaster Terminator

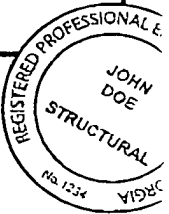


**LOADMASTER SYSTEMS, INC.**  
Custom Engineered Termination and Transition Assemblies

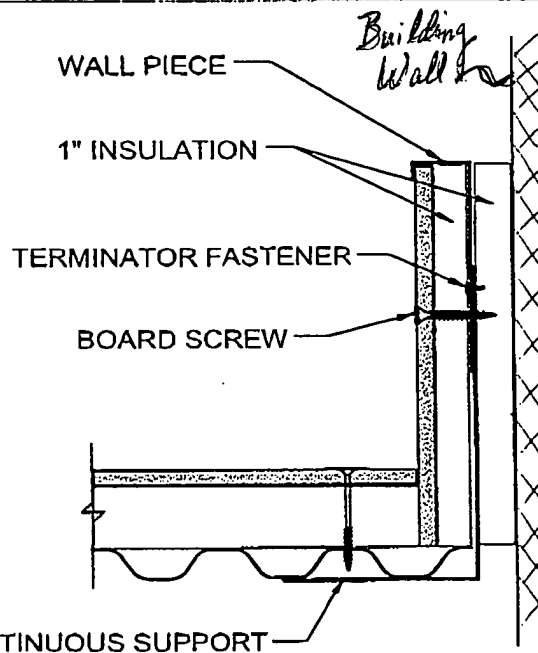
## Nailable Sloped Eave Detail



Custom engineered to fit specific job conditions such as slope, thickness, and roofing requirements.

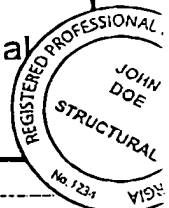


## Parapet Wall Detail



Wall terminations separate the wall from the roof deck thus eliminating stresses that cause roofing failures.

Custom engineered to fit the project needs and sealed by a licensed professional



U.S. Patent #6,088,992 and #6,751,923 - others pending.

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